

11/08/01
1050 U.S. PTO

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PATENT APPLICATION
Docket No: 19036/34546A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
CONTINUING APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

1050 U.S. PTO
10/007408
11/08/01

Box Patent Application
Commissioner for Patents
Washington, D.C. 20231

Sir:

This is a request under 37 CFR 1.53 for filing a


- ☐ continuation application.
☒ divisional application.

1. **Particulars of Prior Application**

Application Serial No: 09/029,156
Filed on: August 3, 1998
Title: Recombinant Conglutinin and Producing Method Thereof
Art Unit: 1647
Examiner: Landsman, R.
Prior Docket No.: 19036/34546

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Continuing Application Transmittal Under 37 CFR 1.53(b) and the documents referred to as enclosed therewith are being deposited with the United States Postal Service on November 8, 2001, in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing Label No. EK657816384US.


Richard K. Zimmermann

10007408-110801

2. This request is filed by:

1. Full Name of Inventor	Family Name Wakamiya	First Given Name Nobutaka	Second Given Name n/a
Residence & Citizenship	City 9-20, Oike 1-Chome Ibaraki-shi, Osaka T567	State or Foreign Country JAPAN	Country of Citizenship JAPAN
Post Office Address	Post Office Address Same	City Same	State & Zip Code/Country Same

3. Amendments

- ☒ A Preliminary Amendment is enclosed.
- ☒ The filing fee is based upon entry of the foregoing amendment(s) (if any).

4. Copy of Prior Application

The enclosed is a copy of the prior complete application, including the specification (with claims), drawings, the oath or declaration, and any amendments referred to in the oath or declaration filed to complete the prior application.

5. Incorporation By Reference

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under paragraph 4, above, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. Priority

- ☒ Priority of application No. Hei 7-209698, filed on 17 August 1995 in Japan is claimed under 35 USC 119.
- ☒ The certified copy(ies) was(were) filed in prior U.S. application Serial No. 09/029,156 pursuant to PCT Rule 17.2.
- ☐ The certified copy(ies) has(have) not been filed.

7. **Assignment**

- ☒ The prior application is assigned of record to Fuso Pharmaceutical Industries, Ltd., and has been recorded at Reel No. 9582, Frame No. 0630.

8. **Small Entity Status**

- ☐ Applicant claims small entity status. See 37 CFR 1.27.

- ☐ A small entity statement is(are) attached.

9. **Application to Be Published**

- ☒ Yes.
- ☐ No. A Request and Certification Under 35 U.S.C. §1.22(b)(2)(B)(i) is attached.

10. **Fee Calculation**

CLAIMS AS FILED - INCLUDING PRELIMINARY AMENDMENT (IF ANY)						
			SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$370.00		\$740.00
TOTAL	2 -20	0	X 9 =	\$0.00	X 18 =	\$0.00
INDEP.	2 - 3	0	X 42 =	\$0.00	X 84 =	\$0.00
<input type="checkbox"/> First Presentation of Multiple Dependent Claim			+ 140 =	\$00.00	+ 280 =	\$00.00
Filing Fee:				\$00.00	OR	\$740.00

11. **Method of Payment of Fees**

- ☒ Attached is a check in the amount of: \$740.00
- ☐ Charge Deposit Account No. 13-2855 in the amount of: \$ _____
- A copy of this Transmittal is enclosed.

12. Deposit Account and Refund Authorization

The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 37 CFR 1.17 to Deposit Account No. 13-2855. A copy of this Transmittal is enclosed.

Please refund any overpayment to Marshall, Gerstein & Borun at the address below.

13. Correspondence Address

Customer No.: 04743

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6357
(312) 474-6300
(312) 474-0448 (Telefacsimile)

By:



David A. Gass

Reg. No: 38,153

November 8, 2001

FOUO 3042001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Wakamiya, N.) CERTIFICATE OF MAILING BY
Serial No.: To Be Determined) EXPRESS MAIL
Filed: Herewith) "EXPRESS MAIL" mailing label
Title: "Recombinant Conglutinin and) No. EK657816384US
Producing Method Thereof") Date of Deposit: November 8, 2001
Expected Group Art Unit: 1647) I hereby certify that this paper and the
Expected Examiner: R. Landsman) documents referred to herein as enclosed
herewith are being deposited with the
United States Postal Service "EXPRESS
MAIL POST OFFICE TO
ADDRESSEE" service under 37 C.F.R.
§1.10 on the date indicated above and
are addressed to Box PCT, Assistant
Commissioner for Patents, Washington,
D.C. 20231
Richard Zimmermann

STATEMENT PURSUANT TO 37 C.F.R. §1.821(f)

BOX PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:


I hereby state that the disclosures of the paper and computer readable forms of the substitute Sequence Listing submitted herewith in accordance with 37 C.F.R. §1.821(c) and (e) are the same and do not introduce new matter into the disclosure of the application.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN

November 8, 2001

By


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